

IAP13 Rec'd PCT/PTO 04 DEC 2006

CASE ON/4-32548A

<u>FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10</u>	
<u>EV67811941 US</u> Express Mail Label Number	<u>December 4, 2006</u> Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

JOSEPH ALEXANDER LASKY

INTERNATIONAL APPLICATION NO: PCT/IB03/02794

FILED: 17 JUNE 2003

U.S. APPLICATION NO: 10/518,988

35 USC §371 DATE:

FOR: 4-(4-METHYLPIPERAZIN-1-YLMETHYL)-N-[4-METHYL-3-(4-PYRIDIN-3-YL)PYRIMIDIN-2-YLAMINO)PHENYL]-BENZAMIDE FOF
TREATING PULMONARY FIBROSIS

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

This third petition for revival of an application unintentionally abandoned under 37 C.F.R. 1.137(b) is in reply to the Decision dated November 21, 2006 in response to Applicant's Petition for Revival of an Application of Patent Abandonment Unintentionally under 37 C.F.R 1.137(b) dated November 7, 2006 which is in reply to the Decision dated October 17, 2006 in response to Applicant's Petition for Revival of an Application of Patent Abandonment Unintentionally under 37 CFR 1.137(b) dated July 25, 2006.

As stated in the Decision dated November 21, 2006, and under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the

petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With respect to item (1), Applicants acknowledge that the United States Patent and Trademark Office has accepted the required "Response to Notification of Missing Requirements under 35 U.S.C. 371", which contains a fully executed Declaration and Power of Attorney provided with Applicants Second Petition for revival of an application unintentionally abandoned under 37 C.F.R. 137(b) dated November 7, 2006. However, for the sake of completeness, Applicants attach their response dated November 7, 2006.

Applicants acknowledge that in the Decision dated October 17, 2006 that a sequence listing is not required.

Applicants acknowledge that items (2) and (4) have also been satisfied.

According to the Decision dated November 21, 2006, Applicants have not provided the following:

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

In response, Applicants provide the required statement.

With regard to item (2), applicant has provided the required petition fee. However, applicants have also enclosed a fee letter.

Respectfully submitted,



Oona A. Jackson
Attorney for Applicant
Reg. No. 48,152

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7852

Date: 12/4/06

Attachment

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) ON/4-32548A/USN
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First Named Inventor: **Joseph Alexander LASKY**International (PCT) Application No.: **PCT/IB03/02794**U.S. Application No.: **10/518,988**
(if known)Filed: **17 June 2003**Title: **4-(4-METHYLPIPERAZIN-1-YLMETHYL)-N-[4-METHYL-3-(4-PYRIDIN-3-YL)PYRIMIDIN-2-YLAMINO)PHENYL]-BENZAMIDE FOR TREATING PULMONARY FIBROSIS**

Attention: PCT Legal Staff
 Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
 See 37 CFR 1.27.

Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of _____ (identify type of reply):

has been filed previously on November 7, 2006.

is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

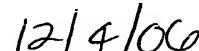
4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature



Date

Oona A. Jackson

Typed or Printed Name

48,152

Registration Number, if applicable

Novartis - Corporate Intellectual Property

862-778-7852

Address
One Health Plaza, Bldg. 104
East Hanover, N.J. 07936-1080

Telephone Number

Address

Enclosures: Response

Fee Payment

Terminal Disclaimer

Other (please identify):

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
JOSEPH ALEXANDER LASKY
INTERNATIONAL APPLICATION NO: PCT/IB03/02794
FILED: 17 JUNE 2003
U.S. APPLICATION NO: 10/518,988
35 USC §371 DATE:
FOR: 4-(4-METHYLPIPERAZIN-1-YLMETHYL)-N-[4-METHYL-3-(4-PYRIDIN-3-YL)PYRIMIDIN-2-YLAMINO)PHENYL]-BENZAMIDE FOF
TREATING PULMONARY FIBROSIS

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

FEE LETTER FOR RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$1500 for payment of the fee pursuant to 37 CFR §1.17(m) for the submission of a Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b).

An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

12/07/2006 MKAYPAGH 00000042 190134 10518988
01 FC:1453 1500.00 DA

Respectfully submitted,


Oona A. Jackson
Attorney for Applicant
Reg. No. 48,152

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7852
Date: 12/14/06
Attachment

<u>FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10</u>	
EV678111822US Express Mail Label Number	November 7, 2006 Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

JOSEPH ALEXANDER LASKY

INTERNATIONAL APPLICATION NO: PCT/IB03/02794

FILED: 17 JUNE 2003

U.S. APPLICATION NO: 10/518,988

35 USC §371 DATE:

FOR: 4-(4-METHYLPIPERAZIN-1-YLMETHYL)-N-[4-METHYL-3-(4-PYRIDIN-3-YL)PYRIMIDIN-2-YLAMINO)PHENYL]-BENZAMIDE FOR TREATING PULMONARY FIBROSIS

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

This second petition for revival of an application unintentionally abandoned under 37 CFR 1.137(b) is in reply to the Decision dated October 17, 2006 in response to Applicant's Petition for Revival of an Application of Patent Abandonment Unintentionally under 37 CFR 1.137(b) dated July 25, 2006.

As stated in the Decision dated October 17, 2006, and under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the

required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

According to the Decision dated October 17, 2006, Applicants have not provided the following:

- (1) the required reply unless previously filed,
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional

With regard to item (1), Applicants herein provide the required "Response to Notification of Missing Requirements under 35 U.S.C. 371", please see attached form which contains a fully executed Declaration and Power of Attorney, along with the original "Notification of Missing Requirements Under 35 U.S.C. 371". Applicants acknowledge that in the Decision dated October 17, 2006 that a sequence listing is not required.

With respect to item (3), please refer to the following points:

1. This petition is filed diligently upon discovery of the unintentional abandonment. The abandonment was discovered July 25, 2006. Upon discovery, Oona A. Jackson prepared an "Applicant's Petition for Revival of an Application of Patent Abandonment Unintentionally under 37 CFR 1.137(b) dated July 25, 2006" containing the required fully executed Declaration and Power of Attorney.
2. This application became unintentionally abandoned because there is no record that Novartis Corporation received in the mail the "Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US)" dated November 21, 2005. Upon realizing this error, Oona A. Jackson downloaded the Notification from the private PAIR system and started to prepare the Petition to Revive.
3. Applicants attach our Response to Notification of Missing Requirements under 35 USC 371.

With regard to item (2), applicant has provided the required petition fee. However, the Commissioner is hereby authorized to charge the fee required under 37 CFR 1.17(m) of \$1,500 to Novartis Corporation Deposit Account No. 19-0134 and any other fees necessary to revive this application.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7852



Oona A. Jackson
Attorney for Applicant
Reg. No. 48,152

Date: November 7, 2006

Attachment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
JOSEPH ALEXANDER LASKY
INTERNATIONAL APPLICATION NO: PCT/IB03/02794
FILED: 17 JUNE 2003
U.S. APPLICATION NO: 10/518,988

35 USC §371 DATE:

FOR: 4-(4-METHYLPIPERAZIN-1-YLMETHYL)-N-[4-METHYL-3-(4-PYRIDIN-3-YL)PYRIMIDIN-2-YLAMINO)PHENYL]-BENZAMIDE FOF
TREATING PULMONARY FIBROSIS

MS: Missing Parts

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

Sir:

The Notification of Missing Requirements Under 35 U.S.C. 371 was mailed November 21, 2005 (a copy of which is enclosed).

In response, applicant now submits a copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 19-0134 in the name of Novartis.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,


Dona A. Jackson
Attorney for Applicant
Reg. No. 48,152

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7852

Date: November 7, 2006

DECLARATION AND POWER OF ATTORNEY FOR UNITED STATES PATENT APPLICATION

Original

Supplemental

Substitute

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

4-(4-methylpiperazin-1-ylmethyl)-N-[4-methyl-3-(4-pyridin-3-yl)pyrimidin-2-ylamino]phenyl]-benzamide for treating pulmonary fibrosis

the specification of which:

is attached hereto.

was filed on _____ as Application No. _____
(day/month/year)

and, if this box (□) contains an *

was amended on _____
(day/month/year)

was filed as Patent Cooperation Treaty international Application No.

PCT/IB 03/02794 on 17/06/2003
(day/month/year)

and, if this box (□) contains an *

entered the national stage in the United States and was accorded Application No. _____

and, if this box (□) contains an *

was amended, subsequent to entry into the national stage, on _____

(day/month/year)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above and, if this application was filed as a Patent Cooperation Treaty international application, by any amendments made during the international stage (including any made under Patent Cooperation Treaty Rule 91, Article 19 and Article 34).

I acknowledge my duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including, for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or Patent Cooperation Treaty international filing date of the continuation-in-part application.

I hereby claim the benefit under 35 U.S.C. 119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent, inventor's certificate or plant breeder's right certificate listed below and under 35 U.S.C. 365(a) of any Patent Cooperation Treaty international application(s) designating at least one country other than the United States listed below and have also listed below any foreign application(s) for patent, inventor's certificate or plant breeder's right certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application the priority of which is claimed for that subject matter:

COUNTRY/REGION (OR P.C.T.)	APPLICATION No.	FILING DATE (day/month/year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

APPLICATION NO.	FILING DATE (day/month/year)
60/392588	28/06/2002

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) listed below and under 35 U.S.C. 365(c) of any Patent Cooperation Treaty international application(s) designating the United States listed below:

United States Application No.	United States Filing Date (day/month/year)	Status (Pending, Abandoned or U.S. Patent No.)	International Application No. and Filing Date (day/month/year)

I hereby appoint all of the registered practitioners associated with Customer No. 001095, respectively and individually, as my attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

If this box (□) contains an x , I hereby authorize the registered practitioners associated with Customer No. 001095 and any others acting on my behalf to take any action relating to this application based on communications from Corporate Intellectual Property of Novartis International AG, Basle, Switzerland, or an affiliate thereof or a successor thereto, without direct communication from me.

Please send all correspondence relating to this application to the address associated with Customer No. 001095.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole
or first joint inventor

Joseph Alexander LASKY

Inventor's signature

New Orleans, LA 70130, USA

Citizenship

WILSON & CO.

Post Office Address

**1127 Philip Street
New Orleans, LA 70130
USA**

Full name of second joint inventor, if any

Inventor's signature

Date

4 / 1 / 2005
(day/month/year)

Residence

Citizenship

Post Office Address

IMPORTANT: Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,988	Joseph Alexander Lasky	ON/4-32548A

001095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080

INTERNATIONAL APPLICATION NO.

PCT/IB03/02794

I.A. FILING DATE	PRIORITY DATE
06/17/2003	06/28/2002

CONFIRMATION NO. 1365

371 FORMALITIES LETTER


OC00000017492849

Date Mailed: 11/21/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/21/2004
- Copy of the International Search Report filed on 12/21/2004
- Copy of IPE Report filed on 12/21/2004
- Preliminary Amendments filed on 12/21/2004
- Oath or Declaration filed on 12/21/2004
- Biochemical Sequence Listing filed on 12/21/2004
- U.S. Basic National Fees filed on 12/21/2004
- Priority Documents filed on 12/21/2004
- Specification filed on 12/21/2004
- Claims filed on 12/21/2004
- Abstracts filed on 12/21/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice MUST be returned with the response.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,988	PCT/IB03/02794	ON/4-32548A

Case No. ON/4- 32548A ✓
Application No. 10/518, 988
Mailing Date: November 7, 2006
Express Mail No.: EV678118224S

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

Application Filing Papers
 PCT National Stage
 Non-Provisional
 Provisional
 RCE DIV CONT CIP

Specification Pg's COPY (3 pgs.)
 Executed/Unexecuted Declaration(s) Missing Parts/Missing Requirements (Response to
 Preliminary Amendment Pg's Notification of Missing Requirements
 Claim of Priority Certified Copy(s) Missing Requirements
 Application Data Sheet (1 pg.)
 Drawings Pg's
 Sequence Listing Pg's/Sequence Disk
 Statement of Verification
 IDS Pg's Supplemental
 PTO-1449 Form Pg's
 Number of Reference(s)
 Amendment Response Letter/Communication VED
 Response to Restriction Requirement
 Petition for Extension of Time
 Amendment After Final
 Notice of Appeal
 Appeal Brief
 Issue Fee Payment
 Assignment Recordation Requested
 Letter Correcting Official Filing Receipt
 Renewed Petition UNDER 37 CFR 1.137 (b)
 Copy of Notification of Missing Requirements (3 pgs.)

GAT
Initials:



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JAP15 Rec'd PCT/PTO 07 NOV 2006